

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA

**U.S.A. vs. Wilbur Butler**

**Docket No. 7:02-CR-93-1F**

**Petition for Action on Supervised Release**

COMES NOW John A. Cooper, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Wilbur Butler, who upon an earlier plea of guilty to 21 U.S.C. § 846, Conspiracy to Distribute Cocaine, Cocaine Base and Oxycodone (Oxycontin), 21 U.S.C. § 841, Distribution of Approximately 14 grams of Cocaine Base (crack) and 21 U.S.C. § 841, Distribution of Approximately 28 Grams of Cocaine Base (Crack), was sentenced by the Honorable James C. Fox, Senior U.S. District Judge, on April 2, 2003, to the custody of the Bureau of Prisons for a term of 212 months. On May 20, 2009, the term of imprisonment was reduced to 170 months, pursuant to 18 U.S.C. § 3582 (c) (2). It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 5 years.

Wilbur Butler was released from custody on January 14, 2014, at which time the term of supervised release commenced.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

On July 9, 2016, Butler submitted to urine testing and the result was positive for cocaine. He was confronted about this violation of supervision and denied knowingly ingesting cocaine. He admitted to consuming alcohol prior to the test date and indicated someone may have put something in his drink. He admits that the urine test result is valid and has been referred to outpatient substance abuse treatment and increased testing. The defendant continues to be employed and doesn't want to lose his job or face further adverse action regarding this matter. Therefore, it is recommended the defendant be continued on supervision but placed on home detention with location monitoring for a period of 45 days. It is further recommended he participate in the Drops Program to deter any further illegal drugs while on supervision. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. While under supervision in the Eastern District of NC, the defendant shall participate in the DROPS Program and, in response to detected illegal drug use, shall be confined in the custody of the Bureau of Prisons for a period not to exceed 30 days of intermittent confinement, as arranged by the probation office, in the following increments: First Use - Two Days; Second Use - Five Days; Third Use - Ten Days;
2. The defendant shall abide by all conditions and terms of the home detention program for a period not to exceed 45 consecutive days. The defendant shall be restricted to residence at all times except for pre-approved and scheduled absences for employment, education, religious activities, treatment, attorney visits, court appearances, court obligations or other activities as approved by the probation officer. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer.

Except as herein modified, the judgment shall remain in full force and effect.

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Reviewed and approved,

I declare under penalty of perjury that the foregoing  
is true and correct.

/s/ Jeffrey L. Keller  
Jeffrey L. Keller  
Supervising U.S. Probation Officer

/s/ John A. Cooper  
John A. Cooper  
U.S. Probation Officer  
2 Princess Street, Suite 308  
Wilmington, NC 28401-3958  
Phone: 910-679-2046  
Executed On: September 13, 2016

#### ORDER OF THE COURT

Considered and ordered this 14 day of September, 2016, and ordered filed and  
made a part of the records in the above case.

James C. Fox  
James C. Fox  
Senior U.S. District Judge